



1AP3 Rec'd PCT/PTO 27 DEC 2005

PC

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Richard James Lewis, et al.      **Examiner:** Unassigned  
**Serial No.:** 10/537,088      **Art Unit:** Unassigned  
**Filed:** June 2, 2005      **Docket:** 16096  
**For:** NOVEL  $\chi$ -CONOTOXIN PEPTIDES (-II)      **Dated:** December 21, 2005  
**Conf. No.:** 9222

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBMISSION OF DECLARATION  
AND POWER OF ATTORNEY**

**Sir:**

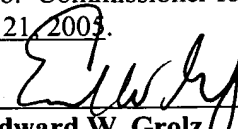
Pursuant to the Notification of Missing Requirements dated November 9, 2005, enclosed is a Declaration and Power of Attorney for the above application previously filed without a declaration. The requisite \$130.00 surcharge for this filing was previously paid on June 2, 2005. Also enclosed is an initial paper copy and an initial computer readable copy of the Sequence Listing together with a Statement Under 37 C.F.R. §1.821(f)(g). A copy of the Notification Of Missing Requirements, is enclosed as required.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 21, 2005.

**Dated:** December 21, 2005

  
Edward W. Grolz

Any additional charges required in connection with this submission may be charged to Deposit Account No. 19-1013/SSMP. A duplicate of this sheet is enclosed.

This submission is believed to be timely and in compliance with 37 C.F.R. §§1.51, 1.63.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edward W. Grolz', written over the printed name.

Edward W. Grolz  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,088	Richard James Lewis	16096

23389  
 SCULLY SCOTT MURPHY & PRESSER, PC  
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INTERNATIONAL APPLICATION NO.	
PCT/AU03/01606	
I.A. FILING DATE	PRIORITY DATE
12/02/2003	12/02/2002

CONFIRMATION NO. 9222

371 FORMALITIES LETTER



\*OC000000017402358\*

Date Mailed: 11/09/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/02/2005
- Copy of the International Search Report filed on 06/02/2005
- Copy of Annexes to the IPER filed on 06/02/2005
- Preliminary Amendments filed on 06/02/2005
- Information Disclosure Statements filed on 06/02/2005
- Biochemical Sequence Listing filed on 06/02/2005
- U.S. Basic National Fees filed on 06/02/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE**

**DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,088	PCT/AU03/01606	16096